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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

In re:

GIGA WATT, Inc., a
Washington corporation,
Debtor.

Case No. 18-03197 FPC 7

The Honorable Frederick P. Corbit
Chapter 7

**DECLARATION OF PAMELA M. EGAN
IN SUPPORT OF CHAPTER 7
TRUSTEE'S MOTION FOR A PRE-
FILING REVIEW ORDER AND/OR
SANCTIONS AGAINST JUN DAM**

I, Pamela M. Egan pursuant to 28 U.S.C. § 1746 hereby declare as follows:

1. I am over 18 years of age, of sound mind, and otherwise competent to make this Declaration.

2. I am a partner with the law firm of Potomac Law Group PLLC ("PLG"), which represents Mark D. Waldron, the Chapter 7 Trustee, as general counsel in the above-captioned case. I submit this declaration in support of the *Chapter 7 Trustee's Motion for a Pre-Filing Review Order and/or Sanctions Against Jun Dam* (the "Motion"), filed herewith.

EGAN DECL. IN SUPPORT OF CH. 7
TRUSTEE'S MOTION FOR A PRE-FILING
REVIEW ORDER/SANCTIONS AGAINST JUN DAM -- Page | 1

1 3. The statements made herein are based on my personal knowledge. If
2 called to testify I would and could testify competently to the statements made
3 herein.

4 4. A true and correct copy of the Motion for Stay Pending Appeal of
5 Order (i) Approving the Sale of Moses Lake Equipment and Related Relief, (ii)
6 Approving Bid Procedures, District Court, Case No. 2:20-cv-00391-SAB (filed
7 November 2, 2020), D.Ct. ECF No. 4, is attached to the Motion as Exhibit A.

8 5. A true and correct copy of the Memorandum in Support of Motion for
9 Stay Pending Appeal of Order (i) Approving the Sale of Moses Lake Equipment
10 and Related Relief, (ii) Approving Bid Procedures, District Court, Case No. 2:20-
11 cv-00391-SAB (filed November 30, 2020) (without the approx. 300 pages of
12 exhibits), Dt. Ct. ECF No. 14, is attached to the Motion as Exhibit B.

13 6. A true and correct of the Class Action Complaint, District Court, Case
14 No. 2:20-cv-00464-SAB (filed December 16, 2020), D.Ct. ECF No. 1, is attached
15 to the Motion as Exhibit C.

16 7. A true correct copy of the Order Denying Motions as Moot, Case No.
17 2:20-cv-00391-SAB (relating to mot. to stay ML Equipment sale) (filed January
18 21, 2021), D.Ct. ECF No. 18, is attached to the Motion as Exhibit D.

19 8. A true and correct copy of the Memorandum, Dam v. Waldron, U.S.
20 BAP, 9th. Cir., Case No. 20-1156 (TNT Sale appeal) (filed January 29, 2021),
21 BAP ECF No. 20-1, is attached to the Motion as Exhibit E.

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23 EGAN DECL. IN SUPPORT OF CH. 7
24 TRUSTEE'S MOTION FOR A PRE-FILING
25 REVIEW ORDER/SANCTIONS AGAINST JUN DAM -- Page | 2

1 9. A true and correct copy of the Notice of Appeal (appeal of TNT Sale
2 Order to 9th Cir.), BAP 9th Cir., Case No. 20-1156 (filed March 2, 2021), BAP
3 ECF No. 25, is attached to the Motion as Exhibit F.

4 10. A true and correct copy of the Response to Order to Show Cause, 9th
5 Cir. Court of Appeals, Case No. 21-60016 (TNT Sale appeal) (filed March 30,
6 2021), Ct. App. 9th Cir. ECF No. 3, is attached to the Motion as Exhibit G.

7 11. A true and correct copy of the Order, U.S. Ct. App., 9th Cir., App.
8 Case No. 21-60016, (filed June 11, 2021), Ct. App. 9th Cir. ECF No. 6, is attached
9 to the Motion as Exhibit H.

10 12. A true and correct copy of the Order Affirming the Bankruptcy
11 Court's Order Granting Appellee's Motion to Dismiss, U.S. Dist. Ct., EDWA,
12 Case No. 20-351 (re dismissal of complaint against Trustee and PLG) (filed July
13 30, 2021), D.Ct. ECF No. 15, is attached to the Motion as Exhibit I.

14 13. A true and correct copy of the Order Affirming the Bankruptcy
15 Court's Sale Approval Order, *Dam v. Waldron*, Case No. 2:20-cv-00391-SAB
16 (ML Equipment Sale appeal), (filed July 30, 2021), D.Ct. ECF No. 21, is attached
17 to the Exhibit J.

18 14. A true and correct copy of the Stipulation of Settlement, District
19 Court, Case No. 2:20-cv-464-SAB (filed November 29, 2023) (without attached
20 exhibits), D.Ct. ECF No. 61-4, is attached to the Motion as Exhibit K.

21 15. A true and correct copy of the Stipulated Dismissal of Consolidated
22 Appeals, District Court, Case No. 2:21-cv-00291-SAB (filed June 28, 2024), D.Ct.

23 EGAN DECL. IN SUPPORT OF CH. 7
24 TRUSTEE'S MOTION FOR A PRE-FILING
25 REVIEW ORDER/SANCTIONS AGAINST JUN DAM -- P a g e | 3

1 ECF No. 65, together with D.Ct. ECF No. 66, Order Granting Dismissal and
2 Closing File, Dam v. Waldron, U.S. D. Ct. EDWA, Case No. 2:21-cv-00291-SAB
3 (filed August 2, 2024) is attached to the Motion as Exhibit L.

4 16. Of the Chapter 7 fees paid to PLG, \$141,833 is attributable to Mr.
5 Dam's actions.

6 17. PLG has accrued \$150,000 in unpaid fees relating to Mr. Dam's
7 vexatious litigation in the Chapter 11 case.

8 18. PLG has incurred an additional \$43,200 in unpaid fees relating to Mr.
9 Dam's objection to PLG's fees and this Motion. These fees are accruing.

10 I declare under penalty of perjury that the foregoing is true and correct.

11 Executed this 3rd day of September 2024 in Seattle, Washington.

12
13 *Pamela M. Egan*

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Pamela M. Egan